

PROOF

STATE OF IOWA

House Journal

TUESDAY, FEBRUARY 26, 2019

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JOURNAL OF THE HOUSE

Forty-fourth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 26, 2019

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Lucille King, retired pastor of Community Presbyterian Church, Cascade. She was the guest of Staed of Linn and Hinson of Linn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Victoria Fillipi, Speaker's Page from Anthon.

The Journal of Monday, February 25, 2019, was approved.

INTRODUCTION OF BILLS

[House File 519](#), by McKean, a bill for an act providing for an increase in the barrel tax on beer, and making appropriations.

Read first time and referred to committee on **Commerce**.

[House File 520](#), by Mascher, a bill for an act relating to the provision of electrical service at electric vehicle charging stations.

Read first time and referred to committee on **Commerce**.

[House File 521](#), by Staed, a bill for an act providing for animal feeding operations, including by providing for the zoning of structures, the regulation of structures and operations, providing for property taxes, making penalties applicable, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Environmental Protection**.

[House File 522](#), by Wolfe, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders.

Read first time and referred to committee on **Judiciary**.

[House File 523](#), by Wolfe, a bill for an act relating to the restoration of the rights of citizenship, and providing for a contingent effective date.

Read first time and referred to committee on **Judiciary**.

[House File 524](#), by Wolfe, a bill for an act applying earned time to reduce certain mandatory minimum felony sentences.

Read first time and referred to committee on **Judiciary**.

[House File 525](#), by Hinson, a bill for an act related to professional licensing, including by modifying provisions related to disciplinary action for certain licensed professions, and establishing inmate eligibility requirements for vocational programs offered by the department of corrections.

Read first time and referred to committee on **Labor**.

[House File 526](#), by Staed, a bill for an act requesting the establishment of a state investment trust interim study committee.

Read first time and referred to committee on **State Government**.

[House File 527](#), by Best, a bill for an act creating a home retrofitting tax credit available against the individual income tax, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 528](#), by committee on State Government, a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee or an entitled person, and providing for fees.

Read first time and referred to committee on **Ways and Means**.

[House File 529](#), by committee on Judiciary, a bill for an act relating to the assessment of fees when a public defender or designee requests copies of certain documents.

Read first time and referred to committee on **Ways and Means**.

[House File 530](#), by committee on Natural Resources, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 531](#), by committee on Labor, a bill for an act concerning unemployment insurance and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

[House File 532](#), by committee on Human Resources, a bill for an act relating to the awarding of medical residency positions in the state.

Read first time and placed on the **calendar**.

[House File 533](#), by committee on Human Resources, a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

Read first time and placed on the **calendar**.

[House File 534](#), by committee on Judiciary, a bill for an act creating the criminal offense of female genital mutilation and providing penalties.

Read first time and placed on the **calendar**.

[House File 535](#), by committee on Transportation, a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable.

Read first time and placed on the **calendar**.

[House File 536](#), by Klein, a bill for an act eliminating requirements relating to the filing of certain reports with the secretary of state by persons holding agricultural land and persons who are business entities.

Read first time and referred to committee on **Commerce**.

[House File 537](#), by committee on Commerce, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

Read first time and referred to committee on **Ways and Means**.

[House File 538](#), by Fry, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements.

Read first time and referred to committee on **Human Resources**.

[House File 539](#), by Jeneary and Gerhold, a bill for an act relating to the public safety equipment fund, providing for voluntary contributions to the fund, and including effective date provisions.

Read first time and referred to committee on **Public Safety**.

[House File 540](#), by Isenhart and Abdul-Samad, a bill for an act providing a property tax exemption for land used to produce food within the limits of a city.

Read first time and referred to committee on **Ways and Means**.

ADOPTION OF [HOUSE RESOLUTION 8](#)

Hagenow of Dallas called up for consideration [House Resolution 8](#), a resolution to recognize the Iowa Small Business Development Centers and honor 2019 award winners.

Baxter of Hancock moved the adoption of [House Resolution 8](#).

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:50 a.m., until the fall of the gavel.

The House resumed session at 9:21 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILL
Regular Calendar

[House File 310](#), a bill for an act relating to the practice of optometry, was taken up for consideration.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 310](#))

The ayes were, 87:

Anderson	Baxter	Bearinger	Bergan
Best	Bossman	Breckenridge	Brink
Brown-Powers	Carlson	Cohoon	Derry
Deyoe	Dolecheck	Donahue	Ehlert
Fisher	Forbes	Fry	Gaskill
Gassman	Gerhold	Grassley	Gustafson
Hagenow	Hall	Hein	Hinson
Hite	Holt	Hunter	Huseman
Isenhardt	Jacobsen	James	Jeneary
Judge	Kacena	Kaufmann	Kerr
Klein	Konfrst	Kressig	Kurth
Kurtz	Landon	Lohse	Lundgren
Matson	Maxwell	McConkey	McKean
Meyer, A.	Meyer, B.	Mitchell	Mommsen
Moore	Nielsen	Oldson	Olson
Osmundson	Ourth	Paustian	Prichard
Running-Marquardt	Salmon	Sexton	Shipley
Sieck	Smith, M.	Smith, R.	Sorensen
Staed	Steckman	Sunde	Thede
Thompson	Thorup	Wheeler	Williams
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Speaker	
		Upmeyer	

The nays were, 9:

Abdul-Samad	Bacon	Gaines	Heddens
Jacoby	Lensing	Mascher	Mohr
Wessel-Kroeschell			

Absent or not voting, 4:

Bennett Bloomingdale Hanusa Jones

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Hagenow of Dallas asked and received unanimous consent that the following bill be immediately messaged to the Senate: [House File 310](#).

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bennett of Linn Bloomingdale of Worth
Hanusa of Pottawattamie Jones of Clay

REFERRED

The Speaker announced that [House File 388](#), previously placed on **calendar** was referred to committee on **Ways and Means**.

SPONSOR ADDED

House Files 93, 128, 147, 221, 376, 394, 467 – Derry of Polk

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 206](#) **Human Resources**

Relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

[H.S.B. 207](#) **Natural Resources**

Relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying reporting requirements regarding agricultural liming

material, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

H.S.B. 208 Public Safety

Permitting qualified entities to request national criminal history checks of certain covered individuals.

H.S.B. 209 Judiciary

Relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, providing for fees, and including effective date provisions.

H.S.B. 210 Commerce

Concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages.

H.S.B. 211 Judiciary

Relating to the Iowa municipal tort claims Act by limiting the personal liability of an employee unless that employee's actions constitute willful and wanton misconduct.

H.S.B. 212 Public Safety

Providing notice of appeal rights relating to veterans preference.

H.S.B. 213 Education

Modifying and establishing charter school programs.

H.S.B. 214 Human Resources

Relating to the prescribing and dispensing of self-administered hormonal contraceptives.

SUBCOMMITTEE ASSIGNMENTS

[House File 216](#)

Local Government: Thompson, Chair; Gaskill and Hanusa.

[House File 320](#)

State Government: Jacobsen, Chair; Hunter and McKean.

[House File 363](#)

Natural Resources: Jeneary, Chair; M. Smith and Thorup.

[House File 388](#)

Ways and Means: Maxwell, Chair; Kurtz and Osmundson.

[House File 437](#)

State Government: Sorenson, Chair; Anderson and Deyoe.

[House File 446](#)

Public Safety: Jeneary, Chair; Klein and Kressig.

[House File 466](#)

Local Government: Bossman, Chair; Hite and Nielsen.

[House File 468](#)

Economic Growth: Brink, Chair; Huseman and Running-Marquardt.

[House File 498](#)

Ways and Means: Windschitl, Chair; Hein and Jacoby.

[House File 511](#)

Ways and Means: Hite, Chair; Lohse and Wolfe.

[House File 512](#)

Ways and Means: Zumbach, Chair; Isenhart and Wheeler.

[House File 527](#)

Ways and Means: Windschitl, Chair; Hein and Jacoby.

[House File 538](#)

Human Resources: Bergan, Chair; Moore and Wessel-Kroeschell.

[House File 540](#)

Ways and Means: Windschitl, Chair; Hein and Isenhart.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 206](#)

Human Resources: Fry, Chair; Brown-Powers and Lundgren.

[House Study Bill 207](#)

Natural Resources: Bacon, Chair; Bearinger and Mommsen.

[House Study Bill 208](#)

Public Safety: Thorup, Chair; Salmon and Sunde.

[House Study Bill 209](#)

Judiciary: Lohse, Chair; Oldson and Paustian.

[House Study Bill 210](#)

Commerce: Carlson, Chair; Best and Hall.

[House Study Bill 211](#)

Judiciary: Hinson, Chair; Hite and Wolfe.

[House Study Bill 212](#)

Public Safety: Thorup, Chair; Kurth and Salmon.

[House Study Bill 213](#)

Education: Dolecheck, Chair; Moore and Staed.

[House Study Bill 214](#)

Human Resources: Lundgren, Chair; A. Meyer and Wessel-Kroeschell.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly [House Study Bill 173](#)), providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 199](#)), recognizing the importance of multilateral trade agreements to Iowa's economy and urging Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House Study Bill 79](#)), relating to requirements for eligibility under the all Iowa opportunity scholarship program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 25, 2019.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House File 294](#)), relating to the brain injury home and community-based services waiver monthly budget maximum.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 158](#)), relating to the practice of polysomnography.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 159](#)), relating to continuing education requirements for certain professions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 166](#)), requesting the establishment of an interim study committee relating to the impact of state assistance program income restriction guidelines.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House Study Bill 22](#)), relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 25, 2019.

Committee Bill (Formerly [House Study Bill 112](#)), including personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 25, 2019.

Committee Bill (Formerly [House Study Bill 118](#)), providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 25, 2019.

Committee Bill (Formerly [House Study Bill 136](#)), relating to nonsubstantive Code corrections.

Fiscal Note: **No**

Recommendation: **Do Pass** February 25, 2019.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House Study Bill 71](#)), relating to criminal trespass while hunting, fishing, or trapping, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 139](#)), relating to certain boards and councils in the department of human rights including the establishment of the justice advisory board and the elimination of the criminal and juvenile justice planning advisory council, the public safety advisory board, and the sex offender research council.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 157](#)), relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly [House Study Bill 94](#)), modifying provisions relating to the licensure of professional landscape architects.

Fiscal Note: **No**

Recommendation: **Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 95](#)), relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 99](#)), relating to the property tax levy for the payment of general obligation bonds issued by cities for certain flood-related purposes and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 147](#)), relating to tax return preparers, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 26, 2019.

Committee Bill (Formerly [House Study Bill 170](#)), related to allowable annual salaries for deputy county auditors in charge of elections administration.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 26, 2019.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 425](#)), relating to school funding by modifying provisions relating to the collection of sales tax for deposit in the secure an advanced vision for education fund, provisions relating to the use of tax revenue from the secure an advanced vision for education fund, and provisions relating to the calculation of the additional property tax levy, and making appropriations.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 25, 2019.

On motion by Hagenow of Dallas, the House adjourned at 9:27 a.m., until 8:30 a.m., Wednesday, February 27, 2019.